In the United States Patent and Trademark Office
on Appeal from the Examiner to the Board
of Patent Appeals and Interferences

In re Application of:	James R. Tighe
Serial No.:	10/810,512
Filed:	March 26, 2004
Group No.:	2476
Confirmation No.:	1184
Examiner:	Mounir Moutaouakil
For:	*Supporting Enhanced Media Communications Using a Packet-Based Communication Link*

Mail Stop Appeal Brief-Patents

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Dear Sir:

APPEAL BRIEF

Appellants appeal to the Board of Patent Appeals and Interferences from the Office Action sent April 1, 2010 and Notice of Panel Decision from Pre-Appeal Brief Review dated July 19, 2010, finally rejecting pending Claims 1-22, 24-26 and 33-39 of the Application. Appellants respectfully submit this Appeal Brief with the statutory fee of $540.00.

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Real Party in Interest

Cisco Technology, Inc., currently owns this Application. An assignment recorded March 26, 2004 in the Assignment Records of the United States Patent and Trademark Office at Reel/Frame 015158/0546 shows that Cisco Technology, Inc., currently owns this Application.

Related Appeals and Interferences

No known appeals, interferences, or judicial proceedings are related to or will directly affect or have a bearing on the Board's decision on this Appeal. The Board's decision on this Appeal will not affect any known appeal, interferences, or judicial proceedings.

Status of Claims

Claims 1-22, 24-26, and 33-39 are pending in this Application and all stand finally rejected under the Office Action sent April 1, 2010 ("*Final Office Action*"). Appellants present all pending claims for appeal. The attached Claims Appendix shows all pending claims.

Status of Amendments

All amendments submitted by Appellants have been entered by the Examiner prior to the mailing of the *Final Office Action.*

Summary of Claimed Subject Matter

This Application generally relates to media communications and, more particularly, to supporting enhanced media communications.

The Application describes techniques for supporting enhanced media communications. According to particular embodiments these techniques enable the sharing of media capabilities among devices. In particular, these techniques can enable a computing device to receive enhanced media packets through an audio link established with a remote device. For example, video packets may be transmitted or received by a computing device through an audio link established by an associated telephony device. As another example, these techniques can enable enhanced media packets to be communicated from one computing device to another through an enhanced media link.

According to a particular embodiment, a method for supporting communications includes establishing a packet-based audio communication link with a remote device and informing a local computing device of the audio communication link. A message requesting identification of enhanced media capabilities associated with the remote device is received from the local computing device and tunneled in the audio communication link to the remote device. A tunneled response in the audio communication link is received from the remote device and forwarded to the local computing device. The response identifies the enhanced media capabilities associated with the remote device.

With regard to the independent claims currently under Appeal, Appellant provides the following concise explanation of the subject matter recited in the claim elements. For brevity, Appellant does not necessarily identify every portion of the specification and drawings relevant to the recited claim elements. Additionally, this explanation should not be used to limit Appellant's claims but instead is intended to assist the Board in considering the Appeal of this Application.

Independent Claim 1

A method for supporting communications comprising:

establishing a packet-based audio communication link between a local telephony device and a remote telephony device;

informing a local computing device coupled to the local telephony device of the audio communication link;

receiving a message from the local computing device, the message requesting identification of enhanced media capabilities associated with a remote computing device coupled to the remote telephony device;

tunneling the message in the audio communication link to the remote telephony device;

receiving a tunneled response in the audio communication link from the remote telephony device, the response identifying the enhanced media capabilities associated with the remote computing device; and

forwarding the response to the local computing device.

See, e.g., Figures 6 and 7, and in the Specification at page 29, lines 8—page 32, line 23.

Independent Claim 10

A system supporting communications comprising:

a packet-based telephony device operable to establish an audio communication link with a remote device; and

a local computing device coupled to the telephony device;

wherein the telephony device is further operable to inform the local computing device of the audio communication link, to receive a message from the local computing device, the message requesting identification of enhanced media capabilities associated with the remote device, to tunnel the message in the audio communication link to the remote device, to receive a tunneled response in the audio communication link from the remote device, the response identifying the enhanced media capabilities associated with the remote device, and to forward the response to the local computing device.

See, e.g., Figures 1, 2, 3a, and 3b, and in the Specification at page 6, lines 1—page 22, line 24.

Independent Claim 19

An apparatus supporting communications comprising:

an interface operable to couple to a local computing device and a packet network; and

a controller coupled to the interface, the controller operable to establish a packetbased audio communication link with a remote device, to inform the local computing device of the audio communication link, to receive a message from the local computing device, the message requesting identification of enhanced media capabilities associated with the remote device, to tunnel the message in the audio communication link to the remote device, to receive a tunneled response in the audio communication link from the remote device, the response identifying the enhanced media capabilities associated with the remote device, and to forward the response to the local computing device.

See, e.g., Figure 3a and in the Specification at page 17, lines 1—page 19, line 18.

Independent Claim 22

An apparatus supporting communications comprising:

an interface operable to couple to a packet-based telephony device; and

a processor coupled to the interface, the processor operable to receive a message from the telephony device identifying an audio communication link associating the telephony device with a remote device, to generate a request for identification of enhanced media capabilities associated with the remote device, to receive a response identifying the enhanced media capabilities associated with the remote device, to determine whether the enhanced media capabilities associated with the remote device include a particular enhanced media capability, and to communicate enhanced media packets to the remote device in response to determining that the enhanced media capabilities associated with the remote device include the particular enhanced media capability.

See, e.g., Figure 3b, and in the Specification at page 19, lines 19—page 22, line 4.

Independent Claim 33

A system supporting communications comprising:

a packet-based telephony device operable to establish an audio communication link with a remote device; and

a local computing device coupled to the telephony device;

wherein the telephony device is further operable to receive a tunneled message in the audio communication link from the remote device, the message requesting identification of enhanced media capabilities associated with the local computing device, to forward the message to the local computing device, to receive a response from the local computing device, the response identifying the enhanced media capabilities associated with the local computing device, and to tunnel the response in the audio communication link to the remote device; and

wherein the computing device is further operable to receive the message, to generate the response, to receive enhanced media packets from the remote device, and to automatically display at least one enhanced media window in response to receiving the enhanced media packets from the remote device.

See, e.g., Figures 1, 2, 3a, 3b, and 4, and in the Specification at page 6, lines 1—page 22, line 24 and page 25, line 16—page 27, line 19.

Independent Claim 35

A computer readable medium encoded with computer executable instructions, the instructions operable when executed to:

establish a packet-based audio communication link with a remote device;

inform a local computing device of the audio communication link;

receive a message from the local computing device, the message requesting identification of enhanced media capabilities associated with the remote device;

tunnel the message in the audio communication link to the remote device;

receive a tunneled response in the audio communication link from the remote device, the response identifying the enhanced media capabilities associated with the remote device; and

forward the response to the local computing device.

See, e.g., Figures 6 and 7, and in the Specification at page 29, lines 8—page 32, line 23.

Independent Claim 39

A device for supporting communications comprising:

means for establishing a packet-based audio communication link with a remote device;

means for informing a local computing device of the audio communication link;

means for receiving a message from the local computing device, the message requesting identification of enhanced media capabilities associated with the remote device;

means for tunneling the message in the audio communication link to the remote device;

means for receiving a tunneled response in the audio communication link from the remote device, the response identifying the enhanced media capabilities associated with the remote device; and

means for forwarding the response to the local computing device.

See, e.g., Figures 6 and 7, and in the Specification at page 29, lines 8—page 32, line 23.

The following discussion identifies the claimed means plus function limitations and, for each such limitation, provides example structures and discussion in the specification for performing the recited functions:

means for establishing a packet-based audio communication link with a remote device;

Example structures for performing the recited function include a telephony device, which includes a controller, an interface, and memory, for supporting media communications. See, e.g., See, e.g., Figure 3a and in the Specification at page 17, lines 1—page 19, line 18.

means for informing a local computing device of the audio communication link;

Example structures for performing the recited function include a telephony device, which includes a controller, an interface, and memory, for supporting media communications. See, e.g., See, e.g., Figure 3a and in the Specification at page 17, lines 1—page 19, line 18.

means for receiving a message from the local computing device, the message requesting identification of enhanced media capabilities associated with the remote device;

Example structures for performing the recited function include a telephony device, which includes a controller, an interface, and memory, for supporting media communications. See, e.g., See, e.g., Figure 3a and in the Specification at page 17, lines 1—page 19, line 18.

means for tunneling the message in the audio communication link to the remote device;

Example structures for performing the recited function include a telephony device, which includes a controller, an interface and memory, for supporting media communications. See, e.g., See, e.g., Figure 3a and in the Specification at page 17, lines 1—page 19, line 18.

means for receiving a tunneled response in the audio communication link from the remote device, the response identifying the enhanced media capabilities associated with the remote device; and

Example structures for performing the recited function include a telephony device, which includes a controller, an interface and memory, for supporting media communications. See, e.g., See, e.g., Figure 3a and in the Specification at page 17, lines 1—page 19, line 18.

means for forwarding the response to the local computing device.

Example structures for performing the recited function include a telephony device, which includes a controller, an interface and memory, for supporting media communications. See, e.g., See, e.g., Figure 3a and in the Specification at page 17, lines 1—page 19, line 18.

Grounds of Rejection for Review on Appeal

1.   The *Final Office Action* rejects Claims 1-8, 10-17, 19-20, 22, 24-26, and 33-39, under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent 5,574,724 to Bales, et al, ("*Bales*") in view of U.S. Patent Publication US 2003/0223381 to Schroderus ("*Schroderus*").

2.   The *Final Office Action* rejects Claims 9, 18, and 21 under 35 U.S.C. § 103(a) as unpatentable over *Bales* in view of *Schroderus* and further in view of U.S. Patent 6,434,568 to Bowman-Amuah ("*Bowman-Amuah*").

Argument

For at least the following reasons, the Examiner's rejections of Claims 1-22, 24-26, and 33-39 are improper and the Board should reverse them.

II.   Claims 1-8, 10-17, 19-20, 22, 24-26, and 33-39 are allowable over _Bales_ and _Schroderus_

The _Final Office Action_ rejects Claims 1-8, 10-17, 19-20, 22, 24-26, and 33-39 under 35 U.S.C. § 103(a) as unpatentable over _Bales_ in view of _Schroderus_. _Bales_ and _Schroderus_, whether taken alone or in combination, fail to teach or suggest the combination of elements recited in the claims, and therefore the Board should reverse the rejection.

Consider Appellants Claim 1, which recites:

> A method for supporting communications comprising:
>
> establishing a packet-based audio communication link between a local telephony device and a remote telephony device;
>
> informing a local computing device coupled to the local telephony device of the audio communication link;
>
> receiving a message from the local computing device, the message requesting identification of enhanced media capabilities associated with a remote computing device coupled to the remote telephony device;
>
> tunneling the message in the audio communication link to the remote telephony device;
>
> receiving a tunneled response in the audio communication link from the remote telephony device, the response identifying the enhanced media capabilities associated with the remote computing device; and
>
> forwarding the response to the local computing device.

As discussed in more detail below, the cited references do not disclose (A) the claimed configuration of devices; (B) "receiving a message from the local computing device [coupled to the local telephony device] . . . requesting identification of enhanced media capabilities associated with a remote computing device [coupled to the remote telephony device]" and (C) "tunneling the message in the audio communication link to the remote telephony device," as Claim 1 recites. As a result of these clear deficiencies, Appellants

respectfully request that the Board instruct the Examiner to issue a Notice of Allowance for all independent claims and their dependents.

A.   The cited references do not teach or suggest the claimed configuration of devices

Among other aspects, the cited references do not disclose the claimed configuration of devices including (1) "a local telephony device;" (2) "a remote telephony device;" (3) "a local computing device coupled to the local telephony device;" and (4) "a remote computing device coupled to the remote telephony device." At best, *Bales* appears to disclose the existence of a communication terminal on either end of a call and requesting an adjustment of bandwidth during that call. *See* Bales, col. 3, lines 32-60. *Bales*, however, does not teach or suggest the claimed configuration of devices as Claim 1 requires. In fact, *Bales'* disclosure of two communication terminals on either end of a call teaches away from the claimed configuration and technique for identifying enhanced media capabilities. *See* Bales, col. 3, lines 32-60. Because *Bales* only discloses two communication terminals, it cannot disclose the various claimed communications between devices (1)-(4) arranged in the manner recited in Claim 1. Simply put, because *Bales* lacks any disclosure of the claimed configuration of the devices, *Bales* necessarily fails to describe the claimed communications between them. And because *Bales* lacks any disclosure of the claimed configuration of the devices, *Bales* does not even suggest or motivate the need for the claimed communications between the claimed elements. Rather, as discussed below with respect to additional elements, the configuration of *Bales*, because of its difference from the claimed configuration, teaches away from Appellants' claims. Likewise, *Schroderus* fails to disclose these concepts. In light of this clear deficiency, Claim 1 is allowable.

Independent Claims 10, 19, 22, 33, 35, and 39 include limitations that, for substantially similar reasons, are not taught or suggested by the proposed combination of *Bales* and *Schroderus*. Accordingly, Appellants request that the Board instruct the Examiner to issue a Notice of Allowance for Claims 1, 10, 35, and 39 and their respective dependent claims.

B.   **The cited references do not teach or suggest "receiving a message from the local computing device"**

As teaching "receiving a message from the local computing device [coupled to the local telephony device] . . . requesting identification of enhanced media capabilities associated with a remote computing device [coupled to the remote telephony device]," the *Final Office Action* points to column 3, lines 32-60 of *Bales. Final Office Action,* p. 4. The cited portion, among other things, describes steps for requesting the addition or removal of video bandwidth during a call. *See* Bales, col. 3, lines 32-60. While *Bales* may disclose the existence of a communication terminal on either end of a call and requesting an adjustment of bandwidth during that call (*see id.*), the cited portion fails to teach "a remote computing device **coupled to** [a] remote telephony device" and "receiving a message from the local computing device . . . requesting identification of enhanced media capabilities associated with [such] a remote computing device," as Claim 1 requires. (emphasis added). As discussed above, *Bales* fails to disclose the claimed configuration of devices and therefore necessarily fails to describe the claimed communications between them. Here, the cited portions of *Bales* fails to disclose two distinct devices as claimed—a remote computing device **and** a remote telephony device—and additionally fails to describe two such devices being coupled to each other. Likewise, *Schroderus* fails to disclose these concepts. In light of this clear deficiency, Claim 1 is allowable.

Independent Claims 10, 19, 22, 33, 35, and 39 include limitations that, for substantially similar reasons, are not taught or suggested by the proposed combination of *Bales* and *Schroderus.* Accordingly, Appellants request that the Board instruct the Examiner to issue a Notice of Allowance for Claims 1, 10, 35, and 39 and their respective dependent claims.

C.   **The cited references do not teach or suggest "tunneling the message in the audio communication link to the remote telephony device"**

As teaching "tunneling the message in the audio communication link to the remote telephony device" wherein "the message request[s] identification of enhanced media capabilities associated with a remote computing device [which is] coupled to the remote telephony device," the *Final Office Action* points to ¶ 11 of *Schroderus. Final Office Action,* p. 5. The cited portion describes using embedded signaling for transferring a request for one

or more acknowledgement reports. *Schroderus*, ¶ 11. First, as discussed, the cited portion fails to show a remote computing device coupled to a remote telephony device. Second, while *Schroderus* describes embedded signaling, the Examiner fails to sufficiently describe how or why a person having ordinary skill in the art would be motivated to combine such embedded signaling with the teachings of *Bales*.

Although the *Office Action* states that the two references may be combined for the "purpose of saving network resources" (see *Office Action*, p. 5), the Examiner fails to support this conclusory statement or otherwise demonstrate how the proposed combination would achieve this purported goal. To the contrary, embedding signaling often involves using additional resources in terms of both bandwidth and processing. Further, there is no reason for *Bales* to use tunneling because the two communication terminals on either end of the call can directly communicate with each other absent such embedded signaling. *See Bales*, col. 3, lines 32-60. In other words, the disclosed configuration of the communication terminals in *Bales* renders the addition of embedded signaling unnecessary. Moreover, contrary to the Examiner's purported goal of "saving network resources," adding embedded signaling could have the opposite effect of injecting additional and unnecessary overhead into the communications in *Bales*. Therefore, one having ordinary skill in the art would be motivated **not** to incorporate embedded signaling in *Bales*.

Regardless of the improper motivation to combine, the proposed combination still fails to teach or suggest "tunneling [a] message in the audio communication link to the remote telephony device" to request "identification of enhanced media capabilities associated with a remote computing device [which is] coupled to the remote telephony device." Interestingly, the communication terminal of *Bales* is capable of providing audio, video, and high speed data capabilities to a logical call. *See Bales*, col. 4, lines 6-8. Moreover, whether a logical call can handle additional capabilities is not limited by the communication terminal itself, but rather by the availability of bandwidth resources to support the additional capability. *See Bales*, col. 4, lines 3-28. Significantly, incorporating embedded signaling from *Scroderus* into the communication terminals of *Bales* does not affect the fact that the communication terminals themselves **can** handle the additional capabilities. Thus, the proposed combination does not teach or suggest tunneling a "message requesting identification of enhanced media capabilities associated with a remote computing device

[which is] coupled to the remote telephony device." In light of this clear deficiency, Claim 1 is allowable.

Independent Claims 10, 19, 22, 33, 35, and 39 include limitations that, for substantially similar reasons, are not taught or suggested by the proposed combination of *Bales* and *Schroderus*. Accordingly, Appellants request that the Board instruct the Examiner to issue a Notice of Allowance for Claims 1, 10, 35, and 39 and their respective dependent claims.

III. Claims 9, 18, and 21 are allowable over *Bales/Schroderus/Bowman-Amuah*

The *Final Office Action* rejects Claims 9, 18, and 21 under 35 U.S.C. § 103(a) as unpatentable over *Bales* in view of *Schroderus* and further in view of U.S. Patent 6,434,568 to Bowman-Amuah ("*Bowman-Amuah*").

For the reasons indicated above, *Bales* fails to disclose, expressly or inherently, every element of independent Claims 1, 10, and 19. *Bowman-Amuah* fails to cure this deficiency. Claims 9, 18, and 21 depend from independent Claims 1, 10, and 19, respectively, and thus are allowable over of the proposed combination of *Bales* and *Bowman-Amuah* for at least the same reasons. Accordingly, Appellant respectfully requests that the Board instruct the Examiner to issue a Notice of Allowance for dependent Claims 9, 18, and 21.

Conclusion

Appellant has demonstrated the pending claims are clearly allowable. Appellant respectfully requests the Board of Patent Appeals and Interferences to reverse the Examiner's final rejection of the pending claims and instruct the Examiner to issue a notice of allowance of the same.

Please charge $540.00 for this Appeal Brief to Deposit Account No. 02-0384 of Baker Botts L.L.P. The Commissioner may charge any fee due and credit any overpayment for this Application to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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APPENDIX A: Claims on Appeal

1.   (Previously Presented) A method for supporting communications comprising:

establishing a packet-based audio communication link between a local telephony device and a remote telephony device;

informing a local computing device coupled to the local telephony device of the audio communication link;

receiving a message from the local computing device, the message requesting identification of enhanced media capabilities associated with a remote computing device coupled to the remote telephony device;

tunneling the message in the audio communication link to the remote telephony device;

receiving a tunneled response in the audio communication link from the remote telephony device, the response identifying the enhanced media capabilities associated with the remote computing device; and

forwarding the response to the local computing device.

2.   (Previously Presented) The method of Claim 1, further comprising:

determining, at the local computing device, whether the enhanced media capabilities associated with the remote computing device include a particular enhanced media capability; and

communicating enhanced media packets to the remote computing device in response to determining that the enhanced media capabilities associated with the remote computing device include the particular enhanced media capability.

3.   (Previously Presented) The method of Claim 2, wherein the particular enhanced media capability is a video capability, the enhanced media packets are video packets, and communicating the enhanced media packets to the remote computing device comprises tunneling the video packets in the audio communication link to the remote telephony device.

4. (Previously Presented) The method of Claim 2, wherein the particular enhanced media capability is a video capability, the enhanced media packets are video packets, and communicating the enhanced media packets to the remote computing device comprises communicating the video packets in a second communication link to the remote computing device.

5. (Previously Presented) The method of Claim 2, further comprising receiving enhanced media packets from the remote computing device and automatically displaying, at the local computing device, at least one enhanced media window in response to receiving the enhanced media packets from the remote computing device.

6. (Previously Presented) The method of Claim 2, wherein the particular enhanced media capability is an instant-messaging capability, the enhanced media packets are instant-messaging packets, and communicating the enhanced media packets to the remote computing device comprises tunneling the instant-messaging packets in the audio communication link to the remote telephony device.

7. (Original) The method of Claim 1, wherein the audio communication link uses Real-time Transport Protocol (RTP).

8. (Currently Amended) The method of Claim 2, further comprising:
halting communications on the audio communication link; and
informing the local computing device of the halting of communications on the audio communication link.

9. (Original) The method of Claim 8, wherein halting communications on the audio communication link occurs after receiving an instruction from a user, the instruction selected from a plurality of options comprising hold, transfer, and mute.

10.   (Original) A system supporting communications comprising:

a packet-based telephony device operable to establish an audio communication link with a remote device; and

a local computing device coupled to the telephony device;

wherein the telephony device is further operable to inform the local computing device of the audio communication link, to receive a message from the local computing device, the message requesting identification of enhanced media capabilities associated with the remote device, to tunnel the message in the audio communication link to the remote device, to receive a tunneled response in the audio communication link from the remote device, the response identifying the enhanced media capabilities associated with the remote device, and to forward the response to the local computing device.

11.   (Original) The system of Claim 10, wherein the computing device is further operable to generate the message, to receive the response, to determine whether the enhanced media capabilities associated with the remote device include a particular enhanced media capability, and to communicate enhanced media packets to the remote device in response to determining that the enhanced media capabilities associated with the remote device include the particular enhanced media capability.

12.   (Original) The system of Claim 11, wherein the particular enhanced media capability is a video capability, the enhanced media packets are video packets, and communicating the enhanced media packets to the remote device comprises tunneling the video packets in the audio communication link to the remote device.

13.   (Original) The system of Claim 11, wherein the particular enhanced media capability is a video capability, the enhanced media packets are video packets, and communicating the enhanced media packets to the remote device comprises communicating the video packets in a second communication link to the remote device.

14.   (Original) The system of Claim 11, wherein the telephony device is further operable to receive enhanced media packets from the remote device and the computing device is further operable to automatically display at least one enhanced media window in response to receiving the enhanced media packets from the remote device.

15.   (Original) The system of Claim 11, wherein the particular enhanced media capability is an instant-messaging capability, the enhanced media packets are instantmessaging packets, and communicating the enhanced media packets to the remote device comprises tunneling the instant-messaging packets in the audio communication link to the remote device.

16.   (Original) The system of Claim 10, wherein the audio communication link uses Real-time Transport Protocol (RTP).

17.   (Previously Presented) The system of Claim 11, wherein the telephony device is further operable to halt communications on the audio communication link and to inform the local computing device of the halting of communications on the audio communication link.

18.   (Original) The method of Claim 17, wherein halting communications on the audio communication link occurs after receiving an instruction from a user, the instruction selected from a plurality of options comprising hold, transfer, and mute.

19.   (Original) An apparatus supporting communications comprising:

an interface operable to couple to a local computing device and a packet network; and

a controller coupled to the interface, the controller operable to establish a packetbased audio communication link with a remote device, to inform the local computing device of the audio communication link, to receive a message from the local computing device, the message requesting identification of enhanced media capabilities associated with the remote device, to tunnel the message in the audio communication link to the remote device, to receive a tunneled response in the audio communication link from the remote device, the response identifying the enhanced media capabilities associated with the remote device, and to forward the response to the local computing device.

20.   (Original) The apparatus of Claim 19, wherein the controller is further operable to tunnel enhanced media packets between the local computing device and the remote device in the audio communication link.

21.   (Previously Presented) The apparatus of Claim 19, further comprising:

a user interface operable to receive an instruction from a user, the instruction selected from a plurality of options comprising hold, transfer, and mute; and wherein

the controller is further operable to halt communications on the audio communication link in response to the instruction and to inform the local computing device of the halting of communications on the audio communication link.

22.   (Original) An apparatus supporting communications comprising:

an interface operable to couple to a packet-based telephony device; and

a processor coupled to the interface, the processor operable to receive a message from the telephony device identifying an audio communication link associating the telephony device with a remote device, to generate a request for identification of enhanced media capabilities associated with the remote device, to receive a response identifying the enhanced media capabilities associated with the remote device, to determine whether the enhanced media capabilities associated with the remote device include a particular enhanced media capability, and to communicate enhanced media packets to the remote device in response to determining that the enhanced media capabilities associated with the remote device include the particular enhanced media capability.

23.   (Canceled)

24.   (Previously Presented) The apparatus of Claim 22, wherein the particular enhanced media capability is a video capability, the enhanced media packets are video packets, and communicating the enhanced media packets to the remote device comprises tunneling the video packets in the audio communication link to the remote device.

25.   (Previously Presented) The apparatus of Claim 22, wherein the particular enhanced media capability is a video capability, the enhanced media packets are video packets, and communicating the enhanced media packets to the remote device comprises communicating the video packets in a second communication link to the remote device.

26.   (Previously Presented) The apparatus of Claim 22, further comprising:

a user interface operable to display images; and wherein

the processor is further operable to receive enhanced media packets from the remote device and to automatically display at least one enhanced media window using the user interface in response to receiving the enhanced media packets from the remote device.

27.   (Withdrawn) A method for supporting communications comprising:
associating a packet-based telephony device with a computing device;

determining media capabilities associated with the packet-based telephony device;

determining enhanced media capabilities associated with the computing device;

aggregating the media capabilities associated with the packet-based telephony device and the enhanced media capabilities associated with the computing device; and

registering the aggregated media capabilities with a call manager, the call manager operable to associate the aggregated media capabilities with the packet-based telephony device.

28.   (Withdrawn) The method of Claim 27, further comprising establishing an audio communication link between the telephony device and a remote device using the call manager, the audio communication link supporting transmission of audio packets and embedded packets.

29.   (Withdrawn) A system for supporting communications comprising:

a computing device operable to determine a first set of enhanced media capabilities associated with the computing device and to generate a message identifying the first set;

a packet-based telephony device coupled to the computing device and operable to receive the message, to determine a second set of media capabilities associated with the telephony device, to aggregate the first set and the second set into an aggregated set of media capabilities, and to communicate the aggregated set to a call manager; and

the call manager operable to associate the aggregated media capabilities with the packet-based telephony device.

30.   (Withdrawn) The system of Claim 29, wherein the call manager is further operable to establish an audio communication link between the telephony device and a remote device, the audio communication link supporting transmission of audio packets and embedded packets.

31.   (Withdrawn) The system of Claim 30, wherein:

the telephony device is further operable to tunnel a query in the audio communication link to the remote device, the query requesting identification of a remote set of media capabilities associated with the remote device, to receive a tunneled response to the query in the audio communication link, the response identifying the remote set of media capabilities, to forward the response to the computing device; and

the computing device is further operable to generate the query, to receive the response, to determine whether the remote set of media capabilities includes a particular enhanced media capability, and to communicate enhanced media packets to the remote device in response to determining that the remote set of media capabilities includes the particular enhanced media capability.

32.   (Withdrawn) The system of Claim 30, wherein the particular enhanced media capability is a video capability, the enhanced media packets are video packets, and communicating the enhanced media packets to the remote device comprises tunneling the video packets in the audio communication link to the remote device.

33. (Original) A system supporting communications comprising:

a packet-based telephony device operable to establish an audio communication link with a remote device; and

a local computing device coupled to the telephony device;

wherein the telephony device is further operable to receive a tunneled message in the audio communication link from the remote device, the message requesting identification of enhanced media capabilities associated with the local computing device, to forward the message to the local computing device, to receive a response from the local computing device, the response identifying the enhanced media capabilities associated with the local computing device, and to tunnel the response in the audio communication link to the remote device; and

wherein the computing device is further operable to receive the message, to generate the response, to receive enhanced media packets from the remote device, and to automatically display at least one enhanced media window in response to receiving the enhanced media packets from the remote device.

34. (Original) The system of Claim 33, wherein the enhanced media packets are video packets and the enhanced media window displays video images.

35.   (Previously Presented) A computer readable medium encoded with computer executable instructions, the instructions operable when executed to:

establish a packet-based audio communication link with a remote device;

inform a local computing device of the audio communication link;

receive a message from the local computing device, the message requesting identification of enhanced media capabilities associated with the remote device;

tunnel the message in the audio communication link to the remote device;

receive a tunneled response in the audio communication link from the remote device, the response identifying the enhanced media capabilities associated with the remote device; and

forward the response to the local computing device.

36.   (Previously Presented) The computer readable medium of Claim 35, the instructions further operable when executed to:

determine, at the local computing device, whether the enhanced media capabilities associated with the remote device include a particular enhanced media capability; and

communicate enhanced media packets to the remote device in response to determining that the enhanced media capabilities associated with the remote device include the particular enhanced media capability.

37.   (Previously Presented) The computer readable medium of Claim 36, wherein the particular enhanced media capability is a video capability, the enhanced media packets are video packets, and communicating the enhanced media packets to the remote device comprises tunneling the video packets in the audio communication link to the remote device.

38.   (Previously Presented) The computer readable medium of Claim 36, wherein the particular enhanced media capability is a video capability, the enhanced media packets are video packets, and communicating the enhanced media packets to the remote device comprises communicating the video packets in a second communication link to the remote device.

39.   (Original) A device for supporting communications comprising:

means for establishing a packet-based audio communication link with a remote device;

means for informing a local computing device of the audio communication link; means for receiving a message from the local computing device, the message requesting identification of enhanced media capabilities associated with the remote device;

means for tunneling the message in the audio communication link to the remote device;

means for receiving a tunneled response in the audio communication link from the remote device, the response identifying the enhanced media capabilities associated with the remote device; and

means for forwarding the response to the local computing device.

APPENDIX B: Evidence
—NONE—

APPENDIX C: Related Proceedings
—NONE—